Ordinance Numbers used this

meeting: 212 - 213

Resolution Numbers used this

(D) – Mary C. Woolridge (3)

(D) - Tina Ward-Pugh (9) EA

(D) - Rick Blackwell (12)

(R) – Jon Ackerson (18)

(D) - Dan Johnson (21)

(D) - Marianne Butler (15)

(D) – Madonna Flood (24)

meeting: 175 - 184

(D) - Cheri Bryant Hamilton (5) Arr. 6:49 (D) - David James (6)

Louisville Metro Council Final Agenda

(D) – Barbara Shanklin (2)

(D) - Tom Owen (8)

(R) - Kevin Kramer (11)

(R) – Glen Stuckel (17)

(R) - Stuart Benson (20)

(R) - James Peden (23)

(D) - Brent Ackerson (26)

(D) – Robert Henderson (14)

METRO COUNCIL SUMMARY ONLY DETAILED MINUTES TO FOLLOW ON THE 12/06/12 COUNCIL AGENDA

Members Roll Call: (D) - Attica Scott (1) EA

(D) - David Tandy (4) (R) - Kenneth C. Fleming (7) (D) – Jim King (10) (D) – Vicki Aubrey Welch (13) (R) – Kelly Downard (16)

(R) – Jerry T. Miller (19) (R) – Robin Engel (22)

(D) - David Yates (25)

Meeting Date: 11/15/2012

Meeting Time: 6:00 PM

Location: 601 W. Jefferson Street

> 3rd Floor, City Hall Louisville, KY 40202

President: Jim King (10)

Madonna Flood (24) Pro-Tem:

Clerks: Kathy Herron and H. Stephen Ott

Address to Council - List

There were three addresses to the Council.

Council Minutes

2-Regular Council Minutes - November 8, 2012

Motion to approve made by Mary C. Woolridge and seconded by Dan Johnson.

By Voice Vote the Council Minutes were approved as written.

Committee Minutes

Special: Budget - November 13, 2012

Regular: Committee of the Whole - November 8, 2012

Regular: Committee on Sustainability - November 8, 2012

Regular: Committee on Sustainability - November 15, 2012

Special: Labor & Economic Development - November 14, 2012 7Motion to approve made by Mary C. Woolridge and seconded by James Peden.

By Voice Vote the Council Minutes were approved as written.

Consent Calendar

The Consent Calendar comprises of items 8 – 17. The Clerk provided a second reading.

8-O-218-11-12 AN ORDINANCE AMENDING ORDINANCE NO. 120, SERIES 2012 AND ORDINANCE

NO. 119, SERIES 2012 RELATING TO THE FISCAL YEAR 2012-13 OPERATING AND CAPITAL

BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY

TRANSFERRING \$40,000 FROM THE DISTRICT 4 CAPITAL INFRASTRUCTURE FUND TO THE

DISTRICT 4 NEIGHBORHOOD DEVELOPMENT FUND. (Ordinance 212, Series 2012)

Committee: Budget

Status:

On Council Agenda - Consent Calendar

Action Required By May 2013

Primary Sponsor: David Tandy

R-175-11-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO

AMERICAN AIR FILTER COMPANY, INC. D/B/A AAF INTERNATIONAL PURSUANT TO KRS

CHAPTER 154, SUBCHAPTER 32. . (Resolution 175, Series 2012)

Committee: Labor & Economic Development

Status:

On Council Agenda - Consent Calendar

Action Required By May 2013

Primary Sponsor: David Tandy

R-176-11-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO APPRISS, INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Resolution 176, Series

2012)

Committee: Labor & Economic Development

Status:

On Council Agenda - Consent Calendar

Action Required By May 2013

Primary Sponsor: David Tandy

R-177-11-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO

JEFFERSON NATIONAL FINANCIAL CORPORATION PURSUANT TO KRS CHAPTER 154,

SUBCHAPTER 32. (Resolution 177, Series 2012)

Committee: Labor & Economic Development

Status:

On Council Agenda - Consent Calendar

Action Required By May 2013

Primary Sponsor: David Tandy

R-178-11-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO MEDIAURA, INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32 (Resolution 178, Series

12-

10-

2012)

Committee: Labor & Economic Development

Status:

On Council Agenda - Consent Calendar

Action Required By May 2013

Primary Sponsor: David Tandy

R-179-11-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO NATIONAL FASTPITCH COACHES ASSOCIATION PURSUANT TO KRS CHAPTER 154,

SUBCHAPTER 32. (Resolution 179, Series 2012)

Committee: Labor & Economic Development

Status:

On Council Agenda - Consent Calendar

Action Required By May 2013

Primary Sponsor: David Tandy

R-180-11-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO NORGREN, INC PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32 (Resolution 180, Series 2012)

Committee: Labor & Economic Development

Status:

On Council Agenda - Consent Calendar

Action Required By MAY 2013

Primary Sponsor: David Tandy

R-181-11-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO ORIONRX PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32 (Resolution 181, Series 2012)

Committee: Labor & Economic Development

Status:

On Council Agenda - Consent Calendar

Action Required By MAY 2013

Primary Sponsor: David Tandy

R-182-11-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO SOUTHERN WATER TREATMENT SERVICES CO., INC PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32 (Resolution 182, Series 2012)

Committee: Labor & Economic Development

Status:

On Council Agenda - Consent Calendar

Action Required By May 2013

Primary Sponsor: David Tandy

R -185-11-12 A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE METRO GOVERNMENT TO ACCEPT THE DONATION OF A CONSERVATION EASEMENT ON PROPERTY OWNED BY MASON LANE, LLC LOCATED ON SOUTH BUCKEYE LANE IN OLDHAM COUNTY, KENTUCKY. (Resolution 183, Series 2012)

13-

14-

15-

16-

Committee: Committee on Sustainability

Status:

Action Required By May 2013

On Council Agenda - Consent Calendar

Primary Sponsor:

Kelly Downard Tina Ward-Pugh Jerry T. Miller

Motion to approve made by Mary C. Woolridge and seconded by David James.

The Consent Calendar Passed.

VOTING RESULTS: For: 23; Against: 0; Abstain: 0; Absent: 3

For: Barbara Shanklin, Mary C. Woolridge, David Tandy, David James, Kenneth C. Fleming, Tom Owen, Jim King, Kevin Kramer, Rick Blackwell, Vicki Aubrey Welch, Robert Henderson, Marianne Butler, Kelly Downard, Glen Stuckel, Jon Ackerson, Jerry T.

Miller, Stuart Benson, Dan Johnson, Robin Engel, James Peden, Madonna Flood, David Yates, Brent Ackerson

Against: (None) Abstain: (None)

Absent: Attica Scott, Cheri Bryant Hamilton, Tina Ward-Pugh

18- NOTIFICATION OF PROPOSED COUNCIL RULES CHANGE.

Committee: Budget

Status: On Council Agenda - For a Vote

Primary Sponsor: Brent Ackerson

Motion to approve made by David James and seconded by Mary C. Woolridge

Motion to amend made by Brent Ackerson and seconded by David Yates to add the following amended rule under Rule 5.11 as subsection (j):

"To limit debate. A Motion to limit debate shall apply to Council meetings only, not committee meetings. When a motion to limit debate is made and an objection is made, a vote by the majority of the Council members present shall be the deciding vote on whether the debate shall be limited. A motion to limit debate is not debatable. If a motion to limit debate successfully passes, then debate on a particular Ordinance or Resolution shall be limited to 1.5 hours after the motion is successfully made, at which time the expiration of said time limit the Ordinance or Resolution, amended or not, shall be automatically called for a final vote."

During discussion, CW Woolridge requested to be added as a Co-sponsor. Without objection from CM Brent Ackerson, CW Woolridge was added as a Co-sponsor.

The amendment passed.

VOTING RESULTS: For: 14; Against: 9; Abstain: 0; Absent: 3

For: Barbara Shanklin, Mary C. Woolridge, David Tandy, David James, Jim King, Rick Blackwell, Vicki Aubrey Welch, Robert

Henderson, Marianne Butler, Jon Ackerson, Dan Johnson, Madonna Flood, David Yates, Brent Ackerson

Against: Kenneth C. Fleming, Tom Owen, Kevin Kramer, Kelly Downard, Glen Stuckel, Jerry T. Miller, Stuart Benson, Robin

Engel, James Peden Abstain: (None)

Absent: Attica Scott, Cheri Bryant Hamilton, Tina Ward-Pugh

CM Johnson Called the Question and seconded by CW Woolridge. There was an objection to the Call the Question. President King called for a roll call vote to call the question. Must have 16 affirmative votes to call the question.

VOTING RESULTS: For: 12; Against: 11; Abstain: 0; Absent: 3

For: Barbara Shanklin, Mary C. Woolridge, David Tandy, Cheri Bryant Hamilton, Rick Blackwell, Vicki Aubrey Welch, Robert

Henderson, Marianne Butler, Dan Johnson, Madonna Flood, David Yates, Brent Ackerson

Against: Kenneth C. Fleming, Tom Owen, Jim King, Kevin Kramer, Kelly Downard, Glen Stuckel, Jon Ackerson, Jerry T. Miller,

Stuart Benson, Robin Engel, James Peden

Abstain: (None)

Absent: Attica Scott, David James, Tina Ward-Pugh

The Call the Question failed.

The amended rule change was adopted.

VOTING RESULTS: For: 15; Against: 9; Abstain: 0; Absent: 2

For: Barbara Shanklin, Mary C. Woolridge, David Tandy, Cheri Bryant Hamilton, David James, Jim King, Rick Blackwell, Vicki Aubrey Welch, Robert Henderson, Marianne Butler, Jon Ackerson, Dan Johnson, Madonna Flood, David Yates, Brent Ackerson **Against:** Kenneth C. Fleming, Tom Owen, Kevin Kramer, Kelly Downard, Glen Stuckel, Jerry T. Miller, Stuart Benson, Robin

Engel, James Peden **Abstain:** (None)

Absent: Attica Scott, Tina Ward-Pugh

NOTE: CM Jon Ackerson, CM Downard and CM Engel left at 7:38pm.

Old Business

19-

O-222-11-12 AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$9,500,000 PRINCIPAL AMOUNT OF AN INDUSTRIAL BUILDING REVENUE BOND (CHARAH, INC. PROJECT), SERIES 2012 (THE "BOND"), FOR THE PURPOSE OF FINANCING CERTAIN COSTS RELATING TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF GYPSUM PELLETIZING FACILITIES LOCATED AT 14660 DIXIE HIGHWAY, LOUISVILLE, JEFFERSON COUNTY, KENTUCKY; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AMONG THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE "ISSUER"), CHARAH, INC. (THE "BORROWER") AND GE GOVERNMENT FINANCE, INC. (THE "LENDER"), AN ESCROW AGREEMENT AMONG THE ISSUER, THE BORROWER, THE LENDER AND BMO HARRIS BANK N.A. AND RELATED DOCUMENTS; AUTHORIZING THE NEGOTIATED SALE OF THE BOND; AND TAKING OTHER RELATED ACTION. (Ordinance 213, Series 2012)

Committee: Budget

Status:

On Council Agenda - Old Business Action Required By May 2013

Primary Sponsor: Robert Henderson

Motion to approve made by David James and seconded by Mary C. Woolridge

The Ordinance passed.

VOTING RESULTS: for: 20; Against: 0; Abstain: 1; Absent: 5

For: Barbara Shanklin, Mary C. Woolridge, David Tandy, Cheri Bryant Hamilton, David James, Kenneth C. Fleming, Tom Owen, Jim King, Rick Blackwell, Vicki Aubrey Welch, Robert Henderson, Marianne Butler, Glen Stuckel, Jerry T. Miller, Stuart Benson, Dan

Johnson, James Peden, Madonna Flood, David Yates, Brent Ackerson

Against: (None)
Abstain: Kevin Kramer

Absent: Attica Scott, Tina Ward-Pugh, Kelly Downard, Jon Ackerson, Robin Engel

O-163-08-12 AN ORDINANCE AMENDING ORDINANCE NO. 119, SERIES 2012, RELATING TO THE FISCAL YEAR 2012-13 CAPITAL BUDGET; ORDINANCE 90, SERIES 2009 RELATING TO THE FISCAL YEAR 2009-10 CAPITAL BUDGET; ORDINANCE 111, SERIES 2008 RELATING TO THE FISCAL YEAR 2008-09 CAPITAL BUDGET; ORDINANCE NO.143, SERIES 2007 RELATING TO THE FISCAL YEAR 2007-08 CAPITAL BUDGET; ORDINANCE 94, SERIES 2004 RELATING TO THE FISCAL YEAR 2004-05 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND ALL THEIR SUBSEQUENT AMENDMENTS TO RESCIND VARIOUS CAPITAL PROJECTS (AS AMENDED).

Committee: Budget

Status:

On Council Agenda - Old Business Action Required By February 2013

Primary Sponsor:

Dan Johnson David Yates

Motion to approve made by James Peden and seconded by Barbara Shanklin

Per the Sponsors and without objection, this item was sent back to the Budget Committee.

NOTE: CM Peden left at 7:41pm and CM Fleming and CM Benson left at 7:42pm.

21- R-183-11-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO

FLAVORCRAFT LLC PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Resolution 184,

Series 2012)

Committee: Labor & Economic Development

Status:

On Council Agenda - Old Business Action Required By May 2013

Primary Sponsor: David Tandy

Motion to approve made by Mary C. Woolridge and seconded by David James

By Voice Vote the Resolution was adopted.

VOTING RESULTS: For: 17; Against: 0; Abstain: 1; Absent: 8

For: Barbara Shanklin, Mary C. Woolridge, David Tandy, Cheri Bryant Hamilton, David James, Tom Owen, Jim King, Kevin Kramer, Rick Blackwell, Vicki Aubrey Welch, Robert Henderson, Glen Stuckel, Jerry T. Miller, Dan Johnson, Madonna Flood, David Yates,

Brent Ackerson **Against:** (None)

Abstain: Marianne Butler

Absent: Attica Scott, Kenneth C. Fleming, Tina Ward-Pugh, Kelly Downard, Jon

Ackerson, Stuart Benson, Robin Engel, James Peden

For Reconsideration

22-

Ordinance 209, Series 2012 AN ORDINANCE AMENDING ORDINANCE NO. 119, SERIES 2012, RELATING TO THE FISCAL YEAR 2012-13 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY AUTHORIZING EXPENDITURES FOR CAPITAL PROJECTS ADMINISTERED BY COMMUNITY SERVICES & REVITALIZATION (AS AMENDED).

Committee: Budget

Status:

On Council Agenda - For Reconsideration

Action Required By April 2013

Primary Sponsor: Marianne Butler

Motion to approve made by Barbara Shanklin and seconded by Mary C. Woolridge

Motion to amend made by Marianne Butler and seconded by Dan Johnson to change the total amount from \$1,500,000 to \$2,734,000 of CCRF-CDBG funds for project #82 under Section I: Part I., I. c..

By Voice Vote the amendment passed.

The Ordinance as amended passed.

VOTING RESULTS: For: 18; Against: 0; Abstain: 0; Absent: 08

For: Barbara Shanklin, Mary C. Woolridge, David Tandy, Cheri Bryant Hamilton, David James, Tom Owen, Jim King, Kevin Kramer, Rick Blackwell, Vicki Aubrey Welch, Robert Henderson, Marianne Butler, Glen Stuckel, Jerry T. Miller, Dan Johnson, Madonna Flood, David Yates, Brent Ackerson

Against: (None)
Abstain: (None)

Absent: Attica Scott, Kenneth C. Fleming, Tina Ward-Pugh, Kelly Downard, Jon

Ackerson, Stuart Benson, Robin Engel, James Peden,

New Business

Legislation assigned to APPROPRIATIONS, NDFS AND CIFS

23-

O-223-11-12 AN ORDINANCE APPROPRIATING \$5,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$1,000 EACH FROM DISTRICTS 13, 9, 6; \$500 EACH FROM DISTRICTS 15, 25, 24, 4, 3; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO GOOD HEALTH IDEAS, INC. dba COLON CANCER PREVENTION PROJECT FOR STAFFING, DESIGNING AND PRINTING EDUCATIONAL MATERIALS AND ADVERTISING.

Committee: Appropriations NDFs and CIFs

Status:

On Council Agenda - New Business

Action Required By May 2013

Primary Sponsor:

Vicki Aubrey Welch Tina Ward-Pugh David James Marianne Butler David Yates Madonna Flood 24-

O-224-11-12 AN ORDINANCE AMENDING ORDINANCE NO. 172, SERIES 2012 AS FOLLOWS: AN APPROPRIATION OF \$6,700 FROM NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \$1,000 FROM DISTRICT 9; \$500 EACH FROM DISTRICTS 13, 8, 24, 2, 26, 25, 12, 3, 15; \$250 EACH FROM DISTRICTS 10, 1, 6, 21; \$200 FROM DISTRICT 14; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE COALITION FOR THE HOMELESS, INC., TO FUND THE SALARY OF ONE HALF-TIME STAFF PERSON TO COORDINATE THE "HOMELESS, NOT HELPLESS" YOUTH INITIATIVE.

Committee: Appropriations NDFs and CIFs

Status:

On Council Agenda - New Business

Action Required By May 2013

Primary Sponsor:

Tina Ward-Pugh Vicki Aubrey Welch

Tom Owen
Madonna Flood
Barbara Shanklin
Brent Ackerson
David Yates
Rick Blackwell
Mary C. Woolridge
Marianne Butler
Jim King
Attica Scott
David James
Dan Johnson

Robert Henderson

O-225-11-12 AN ORDINANCE AMENDING ORDINANCE NO. 211, SERIES 2011, BY APPROPRIATING \$17,250 FROM DISTRICT 1 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE DEPARTMENT OF COMMUNITY SERVICES AND REVITALIZATION, FOR THE METRO HOUSING RESOURCE CENTER EMERGENCY REPAIR, SECURITY LIGHTS AND PAINTING PROJECTS.

Committee: Appropriations NDFs and CIFs

Status:

On Council Agenda - New Business

Action Required By May 2013

Primary Sponsor: Attica Scott

O-227-11-12 AN ORDINANCE APPROPRIATING \$10,000 FROM DISTRICT 5 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE SHAWNEE NEIGHBORHOOD ASSOCIATION, INC. FOR PROGRAMMING AND OPERATING

EXPENSES.

Committee: Appropriations NDFs and CIFs

Status:

On Council Agenda - New Business

Action Required By May 2013

Primary Sponsor: Cheri Bryant Hamilton

Legislation assigned to BUDGET

25-

27- R-188-11-12 A RESOLUTION APPROVING THE JEFFERSON COUNTY CLERK'S 2013 BUDGET.

Committee: Budget

Status:

On Council Agenda - New Business

Action Required By May 2013

Primary Sponsor: Marianne Butler

28- R-189-11-12 A RESOLUTION APPROVING THE JEFFERSON COUNTY SHERIFF'S 2013 BUDGET.

Committee: Budget

Status:

On Council Agenda - New Business

Action Required By May 2013

Primary Sponsor: Marianne Butler

Legislation assigned to COMMITTEE ON CONTRACTS

29- R-186-11-12 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET

ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING

NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT - (ESI (DELAWARE)

ACQUISITION, INC. - \$51,000.00).

Committee: Committee on Contracts

Status:

On Council Agenda - New Business

Action Required By May 2013

Primary Sponsor: David Yates

Legislation assigned to COMMITTEE ON HEALTH, EDUCATION AND HOUSING

30- R-187-11-12 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT FUNDING FROM THE

KENTUCKY CABINET FOR HEALTH AND FAMILY SERVICES, DEPARTMENT FOR PUBLIC HEALTH, IN THE AMOUNT OF \$282,600 FOR THE KENTUCKY COLON CANCER SCREENING PROGRAM (KCCSP) TO BE ADMINISTERED BY THE LOUISVILLE METRO DEPARTMENT OF

PUBLIC HEALTH AND WELLNESS.

Committee: Committee on Health Education and Housing

Status:

On Council Agenda - New Business

Action Required By May 2013

Primary Sponsor: Vicki Aubrey Welch

For Reintroduction Only

31- O-118-05-12 AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES (LMCO)

CHAPTER 156 "PROPERTY MAINTENANCE CODE" AND ADDING A NEW SECTION TO

CHAPTER 156 PROHIBITING THE PLACEMENT OF EXTERIOR DONATION DROP-OFF BINS ON THE PREMISES OF PROPERTIES WITHIN LOUISVILLE METRO AND REPEALING SECTION

112.30 IN ITS ENTIRETY (AMENDED BY SUBSTITUTION).

Committee: Public Works Bridges and Transportation

Status:

On Council Agenda - For Reintroduction Only

Action Required By May 2013

Primary Sponsor:

Vicki Aubrey Welch

David Yates Robert Henderson Rick Blackwell Robin Engel Jerry T. Miller

32- R-298-12-11 A RESOLUTION URGING CONGRESS TO PASS REPRESENTATIVE MARCY

KAPTUR'S BILL HR 1489 KNOWN AS THE RETURN TO PRUDENT BANKING ACT. THIS WOULD REINSTATE THE SEPARATION OF COMMERCIAL AND INVESTMENT BANKING FUNCTIONS WHICH WERE IN EFFECT UNDER THE BANKING ACT OF 1933, COMMONLY REFERRED TO AS

THE GLASS-STEAGALL ACT.

Committee: Labor & Economic Development

Status:

On Council Agenda - For Reintroduction Only

Action Required By May 2013

Primary Sponsor: Dan Johnson

Adjournment

Motion to adjourn made by Tom Owen. Without objection, the meeting adjourned at 7:50PM, EST.

Announcements

Council District Announcements were made by CW Vicki Aubrey Welch, CW Hamilton and CM Tom Owen